

## REMARKS

### REJECTIONS UNDER 35 U.S.C. § 103

#### Claims 28, 36 and 37

Claims 28, 36 and 37 were rejected under 35 U.S.C § 103(a) as being unpatentable over U.S. Patent No. 5,586,338 issued to Lynch et al. (*Lynch*) in view of U.S. Patent No. 6,405,038 issued to Barber et al. (*Barber*). Applicant submits that claims 28, 36 and 37 are not rendered obvious by *Lynch* in view of *Barber* for at least the reasons described below.

Amended independent claim 28 recites, in part, the following:

determining whether the first SID matches a SID stored in a SID table, **the SID in the table identifying a cellular service provider that supports an application not related to voice communications...**

...determining whether support for the application needs to be detected quickly if neither the first nor the second SID is identified in the SID table;  
**performing a first process to detect support for the application not related to voice communications if support needs to be detected quickly; and**  
**performing a second process to detect support for the application not related to voice communications if support does not need to be detected quickly.**

Thus, Applicant claims performing a first process to detect support for the application not related to voice communications if support needs to be detected quickly and performing a second process to detect support for the application not related to voice communications if support does not need to be detected quickly. Claim 37 recites similar limitations.

The Office Action cites *Lynch* as disclosing the limitations of the previous version of claim 28 except that it does not disclose determining whether a low priority detection process is sufficient and performing a high priority detection process if the low priority detection process is insufficient. Applicant agrees that *Lynch* fails to disclose this limitation. Furthermore, Applicant

submits that *Lynch* fails to disclose performing a first process **to detect support for the application not related to voice communications**.

The Office Action cites *Barber* as disclosing limitations that cure the deficiencies of *Lynch*. Applicant has amended claim 28, not for the purpose of overcoming the rejection based on *Barber*, but for the purpose of clarity. Applicant submits that the cited portions of *Barber* do not cure the deficiencies of *Lynch*. *Barber* discusses selecting a preferred cellular carrier based on a prioritized list of SIDs. See column 2, lines 49-67. *Barber* **does not** teach or disclose performing a first process **to detect support for the application not related to voice communications**, as claimed by Applicant. *Barber* does not cure the deficiencies of *Lynch*. Therefore, Applicant respectfully submits that claims 28 and 37 are not obvious in view of *Lynch* and further in view of *Barber*.

Claim 36 depends from claim 28. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant submits that claim 36 is not obvious in view of *Lynch* and *Barber*.

Claims 29, 30, and 38

Claims 29, 30, and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lynch* and *Barber* in view U.S. Patent No. 6,311,060 issued to Evans (*Evans*) and further in view of U.S. Patent No. 6,044,265 issued to Roach (*Roach*). Applicant submits that claims 29, 30, and 38 are not rendered obvious by *Lynch* and *Barber* in view of *Evans* and further in view of *Roach* for at least the reasons described below.

*Evans* was cited as disclosing that a control message is referred to as a page and SID is carried in the control channel. *Roach* is cited as disclosing a method of identifying the SID by a NPA. Whether or not *Evans* and *Roach* disclose the limitations cited in the Office action, neither

*Evans* nor *Roach* cure the deficiencies of *Lynch* and *Barber* as discussed above. Claims 29 and 30 depend from claim 28. Claim 38 depends from claim 37. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant submits that claims 29, 30, and 38 are not rendered obvious by *Lynch* and *Barber* in view of *Evans* and further in view of *Roach*.

#### Claims 31-34 and 39-42

Claims 31-34 and 39-42 were rejected under 35 U.S.C § 103(a) as being unpatentable over *Lynch* and *Barber* in view of *Evans* and further in view of U.S. Patent No. 5,159,625 issued to Zicker (*Zicker*). Applicant submits that claims 31-34 and 39-42 are not rendered obvious by *Lynch* and *Barber* in view of *Evans* and further in view of *Zicker* for at least the reasons set forth below.

Claims 31-34 depend from claim 28. Claims 39-42 depend from claim 37. As discussed above, claims 28 and 37 are not obvious in view of *Lynch*, *Barber*, and *Evans*. *Zicker* is cited as teaching the exchange of data between host and a remotely programmable cellular mobile radiotelephone. *Zicker* does not cure the deficiencies of *Lynch*, *Barber*, and *Evans*. Therefore, given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant submits that claims 31-34 and 39-42 are not rendered obvious by view of *Lynch* and *Barber* in view of *Evans* and further in view of *Zicker*.

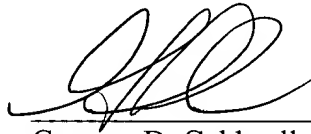
#### CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 28-34 and 36-42 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number  
02-2666.

Respectfully submitted,  
**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP**

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